

LEE LITIGATION GROUP, PLLC

143 W. 24TH STREET, EIGHTH FLOOR

NEW YORK, NY 10011

TEL: 212-465-1180

FAX: 212-465-1181

INFO@LEELITIGATION.COM

WRITER'S DIRECT: 212-465-1188
cklee@leelitigation.com

October 31, 2019

Via ECF

The Honorable Steven Tiscione, U.S.M.J.
United States District Court, E.D.N.Y.
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Francisco v. NY Tex Care, Inc., et al.*
Case No. 19-cv-1649

Dear Judge Tiscione:

We represent Plaintiff in the above referenced matter. Previously, Plaintiff has submitted a pre-motion letter to this Court requesting leave to file a motion for conditional collective certification (Dkt. No. 17), and a letter motion to compel discovery (Dkt. No. 24). On August 22, 2019, Plaintiff's request for leave to file for conditional collective certification was denied without prejudice to renew if mediation was unsuccessful. (Dkt. No. 21).

On October 21, 2019, Plaintiff's motion to compel class discovery was denied because the parties were directed to "complete mediation before any class discovery." (Dkt. No. 27). The court-ordered mediation on October 28, 2019 was unsuccessful at reaching a settlement on this case. Accordingly, Plaintiff requests that the prior motion for leave to file a motion for conditional collective certification, and the prior motion to compel class discovery, both be renewed.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ C.K. Lee
C.K. Lee, Esq.

cc: Defendants' counsel via ECF